

**EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
AUGUST 10, 2006**

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Consent Order 06-0158-UST
 Order Date: May 16, 2006
 Respondent: **Ultimate Car Wash, LLC**
 Facility: Ultimate Car Wash, LLC
 Location/Mailing Address: 34 Plantation Park Dr.
 Bluffton, SC 29910

 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 18963
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a); R.61-92, §280.34(c).

Summary: Ultimate Car Wash, LLC (Respondent), owns and operates underground storage tanks located at 34 Plantation Park Drive in Beaufort, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; and, failure to supply records to the Department upon request.

Action: The Respondent must provide documentation of corrosion protection system operation and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**).

- 2) Order Type and Number: Consent Order 06-0181-UST
 Order Date: May 16, 2006
 Respondent: **RaceTrac Petroleum, Inc.**
 Facility: Raceway 935
 Location/Mailing Address: 2516 Ashley Phosphate Rd.
 Charleston, SC 29418

 County: Charleston
 Previous Orders: None
 Permit/ID Number: 01639
 Violations Cited: UST Control Regulations, R.61-92,
 §280.20(c)(1)(ii); R.61-92, §280.34(c).

Summary: RaceTrac Petroleum, Incorporated (Respondent), a Georgia corporation, owns and operates underground storage tanks located at 2516 Ashley Phosphate Road in Charleston, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an underground storage tank; and, failure to supply records to the Department upon request.

Action: The Respondent must provide documentation of an adequate overfill prevention system and pay a civil penalty in the amount of five hundred dollars **(\$500.00)**.

3) Order Type and Number: Consent Order 06-0225-UST
Order Date: May 16, 2006
Respondent: **Cummings Oil Company, Inc.**
Facility: Cummings Oil Co., Inc. Bulk Plant
Location/Mailing Address: 473 Green Pond Hwy
Walterboro, SC 29488
County: Colleton
Previous Orders: 05-0679-UST (no penalty)
Permit/ID Number: 02574
Violations Cited: UST Control Regulations, R.61-92,
§280.40(a); R.61-92, §280.34(c).

Summary: Cummings Oil Company, Incorporated (Respondent), owns and operates underground storage tanks located at 473 Green Pond Highway in Walterboro, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; and, failure to supply records to the Department upon request.

Action: The Respondent must provide an adequate release detection method to the Department and pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)**.

4) Order Type and Number: Administrative Order 05-0822-UST
Order Date: March 17, 2006
Respondent: **Sahil of Columbia, LLC**
Facility: Sahil of Columbia
Location/Mailing Address: 2501 Decker Blvd.
Columbia, SC 29206
County: Richland
Previous Orders: None
Permit/ID Number: 07747

Violations Cited: UST Control Regulations, R.61-92, §280.40(a); R.61-92, §280.93(a); R.61-92, §280.34(c); R.61-92, §280.110(c).

Summary: Sahil of Columbia, LLC (Respondent), owns and operates underground storage tanks located at 2501 Decker Boulevard in Columbia, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection method; failure to demonstrate financial responsibility; and, failure to supply records to the Department upon request.

Action: The Respondent must submit financial responsibility documentation; empty the tanks to less than one inch of product or provide tank tightness test results and current release detection records; and pay a civil penalty in the amount of six thousand seven hundred seventy-two dollars **(\$6,772.00)**.

5) Order Type and Number: Consent Order 06-0166-UST
Order Date: June 15, 2006
Respondent: **Papa Oil, LLC**
Facility: Corner Stop 58
Location/Mailing Address: 102 S. Broad St.
Clinton, SC 29325
County: Laurens
Previous Orders: None
Permit/ID Number: 10223
Violations Cited: UST Control Regulations, R.61-92, §280.52; R.61-92, §280.34(c).

Summary: Papa Oil, LLC (Respondent), owns and operates underground storage tanks located at 102 South Broad Street in Clinton, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to investigate and confirm a suspected release within a reasonable time period; and, failure to supply records to the Department upon request.

Action: The Respondents agreed to submit the compliance data within 30 days. If the violations are corrected as agreed, the civil penalty of six hundred dollars **(\$600.00)** will be **suspended**.

6) Order Type and Number: Consent Order 06-0230-UST
Order Date: June 15, 2006
Respondent: **Garvin Oil Company, Inc.**
Facility: Kent's Korner 24
Location/Mailing Address: 651 Bettis Academy Rd.

	Graniteville, SC 29829
<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	18226
<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.40(a).

Summary: Garvin Oil Company, Incorporated (Respondent), owns and operates underground storage tanks located at 651 Bettis Academy Road in Aiken, South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method for an underground storage tank system.

Action: The Respondent must submit documentation of an adequate release detection method. The Respondent has corrected the violations and agreed to pay the civil penalty of one thousand dollars (**\$1,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

7)	<u>Order Type and Number:</u>	Consent Order 06-067-DW
	<u>Order Date:</u>	May 3, 2006
	<u>Respondent:</u>	Langley Water District
	<u>Facility:</u>	Langley Water District
	<u>Location/Mailing Address:</u>	P.O. Box 500 Langley, S.C. 29834
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	Facility #02WS009
	<u>Violations Cited:</u>	S.C. Code Ann. § 49-5-90(A)

Summary: Langley Water District (Respondent) owns and is responsible for the operation and maintenance of a groundwater withdrawal system. The Respondent has violated the Groundwater Use and Reporting Act as follows: failure to submit a record of the annual quantity of groundwater withdrawn for the 2005 reporting period by January 30th of the following year.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning the Groundwater Use and Reporting Act and pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

8)	<u>Order Type and Number:</u>	Consent Order 06-072-DW
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Order Date: May 15, 2006
Respondent: **M.J. Properties of South Carolina, LLC**
Facility: Hurricane Island Outward Bound School
Location/Mailing Address: 1177 South Gate Drive
Charleston, S.C. 29407
County: Charleston
Previous Orders: None
Permit/ID Number: PWS #1070986
Violations Cited: S.C. Code Ann. Regs. 61-58.7(B)(1), 61-58.1(B)(1), 61-58.1(K)(1) and 61-58.5(F)(1)(b)

Summary: M.J. Properties of South Carolina, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS; failure to obtain a permit to construct prior to the modification of the PWS; failure to obtain approval to operate prior to placing the PWS modification into operation; and exceeding the Maximum Contaminant Level (MCL) for total coliform during the monitoring periods of July – September and October – December 2005.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations; abandon well #1 and #2; obtain a permit from the Department; install a new PWS well for connection to the existing distribution system; and pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00) in quarterly installments.

9) Order Type and Number: Consent Order 06-078-DW
Order Date: May 15, 2006
Respondent: **The Association of Land Owners of Wells East, Inc.**
Facility: Wells East Subdivision
Location/Mailing Address: Timothy Drake
1 Wells East Dr.
Hilton Head Island, S.C. 29926
County: Beaufort
Previous Orders: None
Permit/ID Number: 0750026 and 07-238B
Violations Cited: S.C. Code Ann. Regs. 61-58.11(H)(1)(b), 61-51(J) and 61-51(K)(1)(d)

Summary: The Association of Land Owners of Wells East, Inc. (Respondent) owns and is responsible for the proper operation and maintenance

of a public swimming pool Permit No. 07-238B and a public water system (PWS) Permit No. 0750026. The Respondent has violated the Public Swimming Pool Regulations and the State Primary Drinking Water Regulations as follows: failed to properly operate and maintain the public swimming pool and failed to conduct the required annual lead and copper monitoring for the June 1, 2004 – September 30, 2004 and the June 1, 2005 – September 30, 2005 monitoring periods for the PWS.

Action: The Respondent has agreed to: ensure that the pool and decking area is enclosed by a minimum four-foot fence or equivalent impenetrable landscape or structural barrier; conduct lead and copper monitoring as required by the Department for the PWS; and pay a civil penalty in the amount of two thousand five hundred sixty dollars **(\$2,560.00)**.

10)	<u>Order Type and Number:</u>	Consent Order 06-079-DW
	<u>Order Date:</u>	May 15, 2006
	<u>Respondent:</u>	Gilbert-Summit Rural Water District
	<u>Facility:</u>	Gilbert Summit
	<u>Location/Mailing Address:</u>	P.O. Box 172 Gilbert, S.C. 29054
	<u>County:</u>	Lexington
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	3220001
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5(H)

Summary: Gilbert-Summit Rural Water District (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: produced running annual averages (RAA) that exceeded the maximum contaminant level (MCL) for combined Radium 226/228 during the compliance periods of January 2004 - December 2004 and October 2004 - September 2005.

Action: The Respondent has agreed to: install a Radium 226/228 removal treatment system for the PWS; schedule an inspection with the Department's Region 3 Columbia Environmental Quality Control Regional Office to obtain final approval to operate; and pay a **stipulated penalty** in the amount of two thousand eight hundred dollars **(\$2,800.00)** should it fail to meet any requirement of this Order.

11)	<u>Order Type and Number:</u>	Consent Order 06-080-DW
	<u>Order Date:</u>	May 15, 2006
	<u>Respondent:</u>	Rung, LLC

<u>Facility:</u>	Country Inn & Suites
<u>Location/Mailing Address:</u>	2448 Boundary St. Beaufort, S.C. 29902
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	07-1017B
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(d)

Summary: Rung, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a swimming pool Permit No. 07-1017-B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool.

Action: The Respondent has agreed to: operate and maintain the Public Swimming Pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand twenty dollars **(\$1,020.00)**.

12)	<u>Order Type and Number:</u>	Consent Order 06-090-DW
	<u>Order Date:</u>	May 24, 2006
	<u>Respondent:</u>	Shree Krishna Hospitality, LLC
	<u>Facility:</u>	Quality Inn
	<u>Location/Mailing Address:</u>	P.O. Box 603 Hardeeville, S.C. 29927
	<u>County:</u>	Jasper
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	27-022B
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(d)

Summary: Shree Krishna Hospitality, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a swimming pool Permit No. 27-022B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool.

Action: The Respondent has agreed to: operate and maintain the Public Swimming Pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand twenty dollars **(\$1,020.00)**.

13)	<u>Order Type and Number:</u>	Consent Order 06-091-DW
	<u>Order Date:</u>	May 24, 2006
	<u>Respondent:</u>	South Beach Swimming Pool, Inc.
	<u>Facility:</u>	South Beach Marina Village
	<u>Location/Mailing Address:</u>	232 South Sea Pines Dr.

<u>County:</u>	Hilton Head Island, S.C. 29928
<u>Previous Orders:</u>	Beaufort
<u>Permit/ID Number:</u>	None
<u>Violations Cited:</u>	07-043B and 07-600C
	24A S.C. Code Ann. Regs. 61-51(J)
	and 61-51(K)(1)(d)

Summary: South Beach Swimming Pool, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a swimming pool Permit No. 07-043B and a spa Permit No. 07-600C. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool and spa.

Action: The Respondent has agreed to: operate and maintain the Public Swimming Pool and Spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of two thousand five hundred twenty dollars (**\$2,520.00**).

14)	<u>Order Type and Number:</u>	Consent Order 06-092-DW
	<u>Order Date:</u>	May 24, 2006
	<u>Respondent:</u>	Simmons Cay, L.P.
	<u>Facility:</u>	Simmons Cay Apartments
	<u>Location/Mailing Address:</u>	57 Simmonsville Rd.
		Bluffton, S.C. 29910
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07-524B
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J)
		and 61-51(K)(1)(d)

Summary: Simmons Cay, L.P. (Respondent) owns and is responsible for the proper operation and maintenance of a swimming pool Permit No. 07-524B. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool.

Action: The Respondent has agreed to: operate and maintain the Public Swimming Pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**).

15)	<u>Order Type and Number:</u>	Consent Order 06-077-DW
	<u>Order Date:</u>	June 2, 2006
	<u>Respondent:</u>	Singleton Beach Estates
		Homeowners Association, Inc.
	<u>Facility:</u>	Singleton Beach Estates

Location/Mailing Address: 86 Singleton Beach Road
Hilton Head Island, S.C. 29928
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-532B
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)

Summary: Singleton Beach Estates Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the swimming pool. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (\$1,680.00). The civil penalty has been paid.

16) Order Type and Number: Consent Order 06-083-DW
Order Date: June 6, 2006
Respondent: **John Martin, Jr.**
Facility: N/A
Location/Mailing Address: 726 Bedon Road
Walterboro, S.C. 29488
County: Berkeley
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-71.
(F)(2)(c)

Summary: John Martin, Jr. (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to properly grout a well within 5 days of borehole completion.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning well construction and pay a civil penalty in the amount of eight hundred fifty dollars (\$850.00).

17) Order Type and Number: Consent Order 06-094-DW
Order Date: June 12, 2006
Respondent: **Caravelle Resort, Inc.**
Facility: Caravelle Resort
Location/Mailing Address: 6900 North Ocean Blvd.

	Myrtle Beach, S.C. 29572
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-M71D
<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J)
	and 61-51(K)(1)(d)

Summary: Caravelle Resort, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the spa. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the spa.

Action: The Respondent has agreed to: operate and maintain the public spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). The civil penalty has been paid.

18)	<u>Order Type and Number:</u>	Consent Order 06-095-DW
	<u>Order Date:</u>	June 12, 2006
	<u>Respondent:</u>	Tommy Powell
	<u>Facility:</u>	N/A
	<u>Location/Mailing Address:</u>	1220 Broad Swamp Road Kingstree, S.C. 29556
	<u>County:</u>	Clarendon
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	Certification #792
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-44(D) and 61-71(F)(12)

Summary: Tommy Powell (Respondent) is involved in the business of well drilling in the State of South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations and the South Carolina Individual Residential Well & Irrigation Well Permitting Regulations as follows: failure to submit a Water Well Record Form 1903 and failure to obtain coverage under the General Permit to Construct Individual Residential Wells and Irrigation Wells prior to installing a residential well by failing to submit a Notice of Intent.

Action: The Respondent has agreed to: comply with all pertinent State rules and regulations concerning well construction and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

19)	<u>Order Type and Number:</u>	Consent Order 06-098-DW
	<u>Order Date:</u>	June 29, 2006

<u>Respondent:</u>	Utilities Services of South Carolina, Inc.
<u>Facility:</u>	USSC/Charleswood Subdivision
<u>Location/Mailing Address:</u>	P.O. Box 4509 West Columbia, S.C. 29171
<u>County:</u>	Richland
<u>Previous Orders:</u>	01-209-DW (\$2800), 02-208-W (\$2800), 02-220-W (\$130,500), 03-210-W (\$4200), 03-211-W (\$4200), 04-072-DW, 04-073-DW, 04-074-DW, 04-018-DW, 05-149-DW, 05-099-W (\$8400)
<u>Permit/ID Number:</u>	4050008
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5(H)(2)

Summary: Utilities Services of South Carolina, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: exceeded the maximum contaminant level (MCL) for combined Radium 226/228 during the compliance periods of April 2004 – March 2005, July 2004 – June 2005 and October 2004 – September 2005.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit a proposed schedule for the installation of a Radium 226/228 removal treatment system; contact the Department's Region 3 Columbia EQC office following the installation of the Radium 226/228 removal treatment system to obtain final approval to operate; and pay a **stipulated** penalty in the amount of **\$2,800.00** if it fails to meet any requirement of this Order.

20)	<u>Order Type and Number:</u>	Consent Order 06-100-DW
	<u>Order Date:</u>	June 12, 2006
	<u>Respondent:</u>	The Lyons Of Port Royal Home Owners Association
	<u>Facility:</u>	The Lyons Of Port Royal
	<u>Location/Mailing Address:</u>	244 College Avenue Beaver, PA 15009
	<u>County:</u>	Beaufort
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	07-557B and 07-558D
	<u>Violations Cited:</u>	24A S.C. Code Ann. Regs. 61-51(J) and 61-51(K)(1)(d)

Summary: The Lyons of Port Royal Home Owners Association (Respondent) owns and is responsible for the proper operation and maintenance of the public swimming pool and spa. The Respondent has violated the Public

Swimming Pool Regulations as follows: failure to properly operate and maintain the pool and spa.

Action: The Respondent has agreed to: operate and maintain the public swimming pool and spa in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of three thousand three hundred sixty dollars (**\$3,360.00**).

21) Order Type and Number: Consent Order 06-104-DW
Order Date: June 26, 2006
Respondent: **Mr. J's, LLC**
Facility: Lazy Brook Convenience Store
Location/Mailing Address: 75 Marineras Lane
Prosperity, S.C. 29127
County: Lexington
Previous Orders: None
Permit/ID Number: 3279002
Violations Cited: S.C. Code Ann. Regs. 61-58.1(K)(1)

Summary: Mr. J's, LLC (Respondent) owns and is responsible for the proper operation and maintenance of the public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain final approval prior to placing the PWS into operation.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations and pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

22) Order Type and Number: Consent Order 06-108-DW
Order Date: June 26, 2006
Respondent: **Indigo Run Assets Corporation**
Facility: Golden Bear Golf Club
Location/Mailing Address: 72 Golden Bear Way
Hilton Head Island, S.C. 29926
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-464C
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)
and 61-51(K)(1)(d)

Summary: Indigo Run Assets Corporation (Respondent) owns and is responsible for the proper operation and maintenance of the swimming pool. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to properly operate and maintain the pool.

Action: The Respondent has agreed to: operate and maintain the pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of eight hundred forty dollars (**\$840.00**).

Water Pollution Enforcement

23) Order Type and Number: Consent Order 06-064-W
Order Date: May 3, 2006
Respondent: **City of Goose Creek**
Facility: Goose Creek Recreation Center
Location/Mailing Address: 519A North Goose Creek Boulevard
Goose Creek, S.C. 29445
County: Berkeley
Previous Orders: None
Permit/ID Number: 29,932-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
(Supp. 2005) and 25 S.C. Code Ann. Regs. 61-67.100(E)(7) (Supp. 2005).

Summary: The City of Goose Creek (Respondent) is responsible for construction activities at the Goose Creek Recreation Center (Site). The Respondent has violated the Pollution Control Act and associated regulations as follows: placed a wastewater collection system (WWCS) into operation without approval.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of one thousand seven hundred dollars (**\$1,700.00**).

24) Order Type and Number: Consent Order 06-066-W
Order Date: May 03, 2006
Respondent: **Howard Moore & Steven Moore**
Facility: Round Mountain Orchard West Union
Location/Mailing Address: P.O. Box 151
Walhalla, S.C. 29691
County: Oconee
Previous Orders: None
Permit/ID Number: SCR105042
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)
and S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2005).

Summary: Howard Moore and Steven Moore (Respondents) are responsible for land disturbing activity at the Round Mountain Orchard – West Union commercial property (Site). The Respondents have violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to install and maintain sediment and erosion devices as required by their permit; and discharged sediment into the environment, including waters of the State.

Action: The Respondents have agreed to: submit revised calculations for the disturbed area of the Site draining to Pond 1; submit an amended permit application for the Site; submit an as-built survey and plan for Pond 1 and Pond 2; submit a report certifying that all stormwater and sediment control devices are installed in accordance with the approved plans; and pay a civil penalty in the amount of twenty two thousand thirteen dollars (**\$22,013.00**) in quarterly installments.

25) Order Type and Number: Consent Order 06-070-W
Order Date: May 3, 2006
Respondent: **Peter Weisman**
Facility: Bryant Business Park
Location/Mailing Address: 100 Corporate Drive
Spartanburg, S.C. 29501
County: Spartanburg
Previous Orders: None
Permit/ID Number: 31,149-WW
Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
(Supp. 2005) and 25 S.C. Code Ann. Regs. 61-67.100(E)(7) (Supp.2005)

Summary: Mr. Peter Weisman (Respondent) owns and is responsible for the construction activities at the Bryant Business Park Facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: placed a wastewater collection system (WWCS) into operation without approval.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of one thousand nine hundred dollars (**\$1,900.00**).

26) Order Type and Number: Consent Order 06-071-W
Order Date: May 1, 2006
Respondent: **Richland County**
Facility: MS4
Location/Mailing Address: 2020 Hampton Street, Room 4058
P.O. Box 192
Columbia, S.C. 29202
County: Richland

Previous Orders: 04-152-W (\$1,400); 02-174-W (\$2,750); 02-199-W (\$4,650); 03-179-DW (\$800); 04-009-SW (\$14,700); 04-010-SW (\$11,640)

Permit/ID Number: SCS400001

Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2005) and 61-9.122.21(d)(2) (Supp. 2005)

Summary: Richland County (Respondent) owns and is responsible for the proper operation and maintenance of its Municipal Separate Storm Sewer System (MS⁴). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the monitoring requirements and other conditions set forth in its National Pollutant Discharge Elimination System (NPDES) Permit and failed to submit an administratively complete application for renewal of its NPDES Permit in a timely manner.

Action: The Respondent has agreed to: properly operate and maintain the MS⁴ in accordance with the requirements and conditions of the most recently issued NPDES Permit until a reissued permit becomes effective; immediately implement a corrective action plan (CAP) and watershed-monitoring schedule identified as Attachment A of the Order; and pay a civil penalty in the amount of eight hundred thirty thousand five hundred forty-nine dollars (**\$830,549.00**) in one installment of forty-two thousand forty-nine dollars (\$42,049.00) and 19 installments of forty-one thousand five hundred dollars (\$41,500.00).

27) Order Type and Number: Consent Order 06-073-W

Order Date: May 3, 2006

Respondent: **Avondale Mills, Inc.**

Facility: Avondale Mills WTP

Location/Mailing Address: P.O. Box 128
Graniteville, S.C. 29829

County: Aiken

Previous Orders: 02-037-A (\$8000); 04-031-A (\$0)

Permit/ID Number: SCG641001

Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp 2005)

Summary: Avondale Mills, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of its Avondale Mills Water Treatment Plant (WTP). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of the National Pollutant Discharge Elimination System

(NPDES) Permit for total suspended solids (TSS) and pH and failed to properly operate and maintain all units of treatment and control in accordance with the requirements of the NPDES Permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an updated operations and maintenance manual; submit a summary of corrective actions taken to date; and pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

28) Order Type and Number: Consent Order 06-074-W
Order Date: May 4, 2006
Respondent: **Haig Point/Melrose Utility Company, Inc.**
Facility: Long Cane Creek WWTF
Location/Mailing Address: P.O. Box 23527
Hilton Head Island, S.C. 29925
County: Beaufort
Previous Orders: 05-092-DW (\$680)
Permit/ID Number: ND0062286
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.505(a) and (d) (Supp. 2005)

Summary: Haig Point/Melrose Utility Company, Inc (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving businesses and residents located along the southwest boundary of Haig Point, on Daufuskie Island, South Carolina. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the effluent limits for biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit 3 copies of a preliminary engineering report (PER) addressing the installation of a flow proportional chlorinator with a schedule of implementation; and pay a civil penalty in the amount of eleven thousand four hundred dollars (**\$11,400.00**).

29) Order Type and Number: Consent Order 06-076-W
Order Date: May 5, 2006
Respondent: **Town of Saluda CPW**
Facility: Saluda CPW WWTF
Location/Mailing Address: P.O. Box 686
Saluda, S.C. 29138
County: Saluda

Previous Orders: 04-108-W (\$9,600) and 04-108-W
AMD (\$0)
Permit/ID Number: SC0022381
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.
2005)

Summary: The Town of Saluda Commission of Public Works (CPW) (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System (NPDES) Permit for biochemical oxygen demand (BOD).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a detailed summary of all corrective actions taken to date to ensure compliance with the effluent discharge limits of the NPDES Permit; and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

30) Order Type and Number: Consent Order 06-081-W
Order Date: May 15, 2006
Respondent: **North American Container Corporation**
Facility: North American Container- Rowesville
Location/Mailing Address: 950 Garland Rd.
Rowesville, S.C. 29133
County: Orangeburg
Previous Orders: None
Permit/ID Number: SCG250191
Violations Cited: S.C. Code Ann. § 48-1-110 (Supp.
2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(d)(1) (Supp.2005)

Summary: North American Container Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a utility water treatment and discharge system that serves a manufacturing facility. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit at least 180 days prior to the expiration date of the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; continue to operate the facility in accordance with the

most recently issued NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

- 31) Order Type and Number: Consent Order 06-086-W
 Order Date: May 15, 2006
 Respondent: **Crenlo, LLC**
 Facility: Crenlo, LLC
 Location/Mailing Address: 3280 General William W. Drive
 Florence, S.C. 29506
 County: Florence
 Previous Orders: None
 Permit/ID Number: 18703-IW
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(2) and (3)
 (Supp. 2005)

Summary: Crenlo, LLC (Respondent) owns and is responsible for a pretreatment system facility. The Respondent has violated the Pollution Control Act as follows: failed to obtain a permit prior to constructing a wastewater treatment facility (WWTF) and its associated components.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

- 32) Order Type and Number: Consent Order 06-088-W
 Order Date: May 30, 2006
 Respondent: **Putnam & Holland Associates
 LLC**
 Facility: Holland Trace Subdivision
 Location/Mailing Address: 527 Spring Point Court
 Simpsonville, S.C. 29681-2148
 County: Greenville
 Previous Orders: None
 Permit/ID Number: 28,930-WW
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp.
 2005)

Summary: Putnam and Holland Associates, LLC (Respondent) is responsible for the operation of a wastewater collection system (WWCS). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: placed the WWCS into operation without the appropriate approvals from the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**). The civil penalty has been paid.

33) Order Type and Number: Consent Order 06-089-W
 Order Date: May 24, 2006
 Respondent: **City of Spartanburg**
 Facility: Blackstock Road Sewer Extension
 Location/Mailing Address: P.O. Box 1749
 Spartanburg, S.C. 29304
 County: Spartanburg
 Previous Orders: None
 Permit/ID Number: 27,904-WW
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(3)
 (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.21(a)(3) (Supp.
 2005).

Summary: City of Spartanburg (Respondent) is responsible for the operation of a wastewater collection system (WWCS). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: placed the WWCS into operation without the appropriate approvals from the Department.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

34) Order Type and Number: Consent Order 06-082-W
 Order Date: June 2, 2006
 Respondent: **Town of Williamston**
 Facility: Big Creek East WWTF
 Location/Mailing Address: P.O. Box 70
 Williamston, S.C. 29697
 County: Anderson
 Previous Orders: 00-174-W (\$3,000)
 Permit/ID Number: SC0046841
 Violations Cited: S.C. Code Ann. § 48-1-110(d) and
 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.2005)

Summary: The Town of Williamston (Respondent) owns and is responsible for the proper operation and maintenance of the Big Creek East wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply

with the effluent limits for ammonia-nitrogen (NH₃N), biochemical oxygen demand (BOD), and suspended solids percent removal (SS%).

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a corrective action plan (CAP); implement a pretreatment program; submit a preliminary engineering report (PER) and pay a civil penalty in the amount of twenty-three thousand eight hundred dollars (\$23,800.00). The Department suspends seventeen thousand nine hundred and fifty dollars (\$17,950.00) of the penalty due to financial circumstances. The Respondent shall pay a civil penalty in the amount of five thousand eight hundred and fifty dollars (**\$5,850.00**). The civil penalty has been paid.

35) Order Type and Number: Consent Order 06-085-W
 Order Date: June 2, 2006
 Respondent: **Gary Venesky**
 Facility: Venesky Office Park
 Location/Mailing Address: 575 Pope Field
 Easley, S.C. 29642

 County: Pickens
 Previous Orders: None
 Permit/ID Number: SCR10B013
 Violations Cited: S.C. Code Ann. § 48-1-110(d) (1987
 and Supp.2005) and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(e) (Supp.
 2005)

Summary: Gary Venesky (Respondent) owns and is responsible for clearing and grading activities at Venesky Office Park (Site). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly install and maintain all storm water control devices as required by its National Pollutant Discharge Elimination System (NPDES) permit.

Action: The Respondent has agreed to: submit a report prepared by a South Carolina Registered Professional Engineer certifying that all necessary storm water controls are installed and properly functioning and pay a civil penalty in the amount of six thousand seven hundred fifty dollars (**\$6,750.00**) in quarterly installments.

36) Order Type and Number: Consent Order 06-087-W
 Order Date: June 6, 2006
 Respondent: **Murray Pines Development, Inc.**
 Facility: Murray Pines Property
 Location/Mailing Address: 115 Grace Street
 Prosperity, S.C. 29127

 County: Newberry

Previous Orders: None
Permit/ID Number: SCR10B580
Violations Cited: 24 S.C. Code Ann Regs. 61-9.122.26(a)(1) (Supp. 2005)

Summary: Murray Pines Development, Inc. (Respondent) is responsible for land disturbing activities at Murray Pines Property (Site). The Respondent has violated the Water Pollution Control Permit Regulations as follows: failure to obtain a permit prior to initiating land-disturbing activities at the Site.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report, completed and stamped by a South Carolina Registered Professional Engineer, certifying that the installation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specification; and pay a civil penalty in the amount of four thousand dollars (\$4,000.00). The civil penalty has been paid.

37) Order Type and Number: Consent Order 06-093-W
Order Date: June 1, 2006
Respondent: **The Penton Group, Inc.**
Facility: Savannah Place Subdivision
Location/Mailing Address: P.O. Box 915
Waxhaw, N.C. 28173
County: York
Previous Orders: None
Permit/ID Number: SCR105059
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005) and S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2005)

Summary: The Penton Group (Respondent) is responsible for land-disturbing activity at the Savannah Place Subdivision (Site). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to maintain all storm water control devices as required by the permit.

Action: The Respondent has agreed to: complete repairs to the storm water detention pond and pay a civil penalty in the amount of five thousand four hundred dollars (\$5,400.00).

38) Order Type and Number: Consent Order 06-096-W
Order Date: June 14, 2006
Respondent: **Brown, Moore & Patrick, LLC**

Facility: B,M & P Sandpit Mine
Location/Mailing Address: P.O. Box 2356
Murrells Inlet, S.C. 29576
County: Georgetown
Previous Orders: None
Permit/ID Number: SCG730524
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.122.41 (a)(h)(l)(4) (Supp. 2005)

Summary: Brown, Moore & Patrick, LLC (Respondent) owns and is responsible for the proper operation and maintenance of B, M & P Sandpit Mine (Site). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for total suspended solids (TSS) and failed to submit discharge monitoring reports (DMRs) in a timely manner.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to prevent future TSS violations and pay a civil penalty in the amount of six thousand eight hundred dollars **(\$6,800.00)**.

39) Order Type and Number: Consent Order 06-097-W
Order Date: June 2, 2006
Respondent: **Russell A. Williams**
Facility: Daniel's Tract
Location/Mailing Address: P.O. Box 1644
Sumter, S.C. 29151
County: Sumter
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)

Summary: Russell A. Williams (Respondent) is responsible for logging operations. The Respondent has violated the Pollution Control Act as follows: discharged sediment and logging debris into the environment, including waters of the State.

Action: The Respondent has agreed to: remove the logging debris from the stream and pay a civil penalty in the amount of one thousand six hundred dollars **(\$1,600.00)**.

40) Order Type and Number: Consent Order 06-101-W
Order Date: June 12, 2006
Respondent: **Springs Industries, Inc.**

Facility: Grace Complex
Location/Mailing Address: P.O. Box 70
Fort Mill, S.C. 29715
County: Lancaster
Previous Orders: None
Permit/ID Number: SC003255
Violations Cited: S.C. Code Ann § 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61.9-122.41(a) and (e) (Supp. 2005)

Summary: Springs Industries, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF) serving its textile printing, dyeing and finishing facility. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations and the National Pollutant Discharge Elimination System (NPDES) permit as follows: failed to conduct soil monitoring prior to land application of the wastewater biosolids and alum sludge.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with the NPDES permit and Department regulations and pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**). The civil penalty has been paid.

41) Order Type and Number: Consent Order 06-103-W
Order Date: June 15, 2006
Respondent: **County of Aiken**
Facility: Savannah River Research Campus
Location/Mailing Address: 227 Gateway Drive
Aiken, S.C. 29803
County: Aiken
Previous Orders: None
Permit/ID Number: ND0077615
Violations Cited: S.C. Code Ann. § 48-1-110(d) (Supp. 2005) and 24 S.C. Code Ann. Regs. 61-9.505.41 (a) and (e) (Supp. 2005)

Summary: The County of Aiken (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for fecal coliform and biochemical oxygen demand; failed to provide adequate funding and operator staffing; and failed to conduct daily inspections of the WWTF as required in the permit.

Action: The Respondent has agreed to: submit a corrective action plan containing measures taken to prevent future violations; submit an updated

Operations and Maintenance Manual to include operational changes to prevent future violations; submit a roster of operators assigned to the WWTF; and pay a civil penalty in the amount of sixteen thousand two hundred dollars (\$16,200.00).

Joint Orders

- 42) Order Type and Number: Consent Order 06-102-W, DW
 Order Date: June 12, 2006
 Respondent: **Frank Spivey**
 Facility: Frank Spivey Site
 Location/Mailing Address: 3803 Highlands Highway
 Walhalla, S.C. 29691

 County: Oconee
 Previous Orders: None
 Permit/ID Number: None
 Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987),
 48-1-110 (a)(1) and (3) (1987) and 44-55-30 (2002), 24S.C. Code Ann.
 Regs. 61-9.122.26(b)(14)(x) (Supp. 2005), 61-9.122.21(a)(3) (Supp.
 2005), 61-58.1(B)(1) (Supp. 2005), 61-58.1(K)(1) (Supp. 2005) and 61-
 58.4 (D)(11)(c) (Supp. 2005)

Summary: Frank Spivey (Respondent) is responsible for the proper installation and operation of a public water system (PWS) and for land-disturbing activities on property located at Tax Map Numbers 131-00-01-046, 131-00-01-002, and 131-00-01-003, 3803 Highlands Highway (Site). The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land-disturbing activities prior to obtaining a permit from the Department; failed to install erosion and sediment control measures as required by the permit; failed to obtain a permit prior to the installation of a wastewater treatment system; and discharged wastewater into the environment. The Respondent violated the State Safe Drinking Water Act and the State Primary Drinking Water Regulations as follows: failed to obtain a permit prior to the construction of a PWS; failed to obtain final approval to operate prior to placing a PWS into operation; and failed to properly construct a PWS.

Action: The Respondent has agreed to: Drinking Water Requirements: Remove all drinking water lines at the Site and contact and secure a South Carolina certified well driller for the purpose of properly abandoning the 5 wells drilled at the Site. Wastewater Requirements: Obtain demolition permits to remove and abate the structures and associated septic tanks located at the Site; remove the structures from the Site; remove or abandon the septic tank systems to the satisfaction of the Department; fully stabilize the Site by grassing, or implementing other necessary measures at the disturbed areas, or, submit an application for a storm water permit; within 30 days of the Department's issuance of the storm water permit, submit a report completed by a South Carolina

Registered Professional Engineer, certifying that all storm water and sediment control devices are installed and functioning properly; install approvable septic tank systems; have the systems inspected and approved by the Department; and pay a civil penalty in the amount of twelve thousand and twelve dollars (\$12,012.00).

- 43) Order Type and Number: Consent Order 06-109-W, DW
 Order Date: June 26, 2006
 Respondent: **Tecstone, LLC**
 Facility: Tecstone Marble
 Location/Mailing Address: 118 Columbia Avenue
 Chapin, S.C. 29036
 County: Lexington
 Previous Orders: 02-004-A (\$6K)
 Permit/ID Number: 29,048-WW and 18,883-WS
 Violations Cited: S.C. Code Ann. § 48-1-110(a)(1)
 (Supp.2005) and 24A S.C. Code Ann. Regs. 61-58.1(K)(1) (Supp. 2005)

Summary: Tecstone, LLC (Respondent) owns and is responsible for the construction activities at Tecstone Marble (Site). The Respondent has violated the Pollution Control Act, State Safe Drinking Water Act and associated regulations as follows: failed to obtain final approval to operate prior to placing a wastewater collection system (WWCS) and a public water system (PWS) into operation.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations and pay a civil penalty in the amount of two thousand six hundred fifty dollars (\$2,650.00).

- 44) Order Type and Number: Consent Order 06-111-W and
 (06-02-MSWM) BLWM
 Order Date: June 19, 2006
 Respondent: **Massenburg Construction, Inc.**
 Facility: Bed Rock Mine II
 Location/Mailing Address: P.O. Box 12429
 Charleston, S.C. 29422
 County: Charleston
 Previous Orders: N/A
 Permit/ID Number: SCG730372/ GP1-001628
 Violations Cited: South Carolina Mining Act, S.C.
 Code Ann. § 48-20-55 (Supp. 2005), General Mine Operating Permit #
 GP1-001628, Parts I and III; S.C. Code Ann. § 48-20-60 (Supp. 2005);
 Mining Regulations 89-120.A. and 89-120.C.(1)(b); and The Pollution
 Control Act (1987), S.C. Code Ann. §§ 48-1-90(a) and 48-1-110(d); and

Water Pollution Control Permits, 24 S.C. Code Ann. Regs. 61-9.122.41(j)(3) and (l)(4) (Supp. 2005).

Summary: Massenburg Construction, Inc. (Respondent) is responsible for the operation of the Bed Rock II Mine (Site). The Respondent has violated the Water Pollution Control Permit Regulations and the S.C. Mining Act as follows: discharged sediment into the environment, including waters of the State and failed to monitor mine dewatering discharges as required by the permit.

Action: The Respondent has agreed to: submit a copy of the Site's SWP3 Plan; an updated Site map; re-vegetate disturbed buffer areas at the Site; and comply with all permitting and operating requirements in accordance with Federal and State regulations and pay a civil penalty in the amount of eleven thousand one hundred twenty-five dollars (\$11,125.00).

BUREAU OF AIR QUALITY

45) Order Type and Number: Consent Order 06-016-A
Order Date: May 15, 2006
Respondent: **Atlantic Shutter Systems, Inc.**
Facility: Atlantic Shutter Systems, Inc.
Location/Mailing Address: 3217 Hwy. 301 S.
Latta, SC 29565
County: Dillon
Permit/ID Number: 0880-0033
Violations Cited: U.S. EPA Regulations at 40 CFR 52.21, and South Carolina Air Pollution Control Regulation 61-62.5, Standard 7, Prevention of Significant Deterioration of Air Quality, U.S. EPA Regulations at 40 CFR 70.5(a), and South Carolina Air Pollution Control Regulation 61-62.70.5(a), Duty to Apply; and South Carolina Air Pollution Control Regulation 61-62.1, Permit Requirements

Summary: Atlantic Shutter Systems, Inc. ("Respondent"), manufactures custom window shutters. The Department issued Operating Permit 0880-0033 to the Respondent, effective January 25, 2003. The Respondent has violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failure to obtain a construction permit and failure to submit a written request to obtain an operating permit prior to installing and operating sources of air contaminants; failure to either accept Federally enforceable limits to avoid the permitting requirements of PSD or to complete a PSD review prior to installing sources of air contaminants; and failure to submit an application for a Title V Air Quality Permit within 12 months of beginning operation of a Title V source.

Action: The Respondent has agreed to pay a civil penalty in the amount of eight thousand dollars **(\$8,000.00)**.

46) Order Type and Number: Consent Order 06-017-A
 Order Date: May 16, 2006
 Respondent: **Lafarge Building Materials, Inc.**
 Facility: Lafarge Building Materials, Inc.
 Location/Mailing Address: PO Box 326
 Harleyville, SC 29448
 County: Dorchester
 Previous Orders: None
 Permit/ID Number: 0900-0004
 Violations Cited: S.C. Code Ann. § 48-1-110(d), S.C. Code Ann. § 48-1-90(a), U.S. EPA 40 CFR 63.1350(e) and South Carolina Air Pollution Control Regulation 61-62.63 - Subparts LLL, U.S. EPA 40 CFR 63.6(e)(3)(iii) and South Carolina Air Pollution Control Regulation 61-62.63 - Subparts A, and U.S. EPA 40 CFR 63.1348 and South Carolina Air Pollution Control Regulation 61-62.63 - Subparts LLL

Summary: Lafarge Building Materials, Inc. (Respondent), owns and operates a Portland cement manufacturing facility. The Respondent violated Federal and State regulations and permit requirements as follows: failure to conduct daily Method 22 visible emissions observations (VEO) of subject sweep mill and air separator baghouses; failure to conduct weekly Method 9 VEO's of subject sweep mill and air separator baghouses while each affected source was in operation; failure to keep records of startup, shutdown, and malfunction events for subject sources; exceeding volatile organic compound emissions rate limit of 0.1805 lbs/ton clinker from its Rotary Kiln during June through October 2004; exceeding carbon monoxide emissions rate limit of 9.025 lbs/ton clinker from the Rotary Kiln during June through October 2004; and exceeding 10% opacity limit for visible emissions from its Clinker Silo No. 2 Belt Transfer Feed System.

Action: The Respondent has agreed to pay to the Department a civil penalty in the amount of twenty-four thousand dollars **(\$24,000.00)**.

47) Order Type and Number: Consent Order 06-018-A
 Order Date: May 30, 2006
 Respondent: **Doane Pet Care Company**
 Facility: Doane Pet Care Company
 Location/Mailing Address: 451 Prosperity Drive
 Orangeburg, SC 29115
 County: Orangeburg County
 Previous Orders: 03-003-A (\$4,000.00)
 Permit/ID Number: 1860-0090

Violations Cited: U.S. EPA 40 CFR §60.48c(g) and (j), South Carolina Air Pollution Control Regulation 61-62.60 – Subpart Dc, and South Carolina Code Ann. §48-1-110(d)

Summary: Doane Pet Care Company (Respondent), located in Orangeburg, South Carolina, manufactures pet food. The Respondent violated State and Federal regulations as follows: failure to maintain daily fuel usage records for the 12.3×10^6 Btu/hour boiler, as required by Consent Order 03-003-A, the Regulations, and its Permit; failure to submit the annual fuel usage report for the 12.3×10^6 Btu/hour boiler for the reporting period ending December 31, 2004, as required by Consent Order 03-003-A, the Regulations, and its Permit; and failure to implement a program for routine inspection and maintenance on all air pollution control equipment and maintain records of all maintenance events, as required by its Permit.

Action: The Respondent has agreed henceforth to maintain daily fuel usage records for the boiler and submit annual fuel usage reports for the boiler to the Technical Management section of the Department, as specified in its Permit; immediately and henceforth implement a program for routine inspection and maintenance on all air pollution control equipment, and maintain records of all maintenance events, as specified in its Permit; and pay a civil penalty in the amount of five thousand five hundred dollars **(\$5,500.00)**.

48) Order Type and Number: Consent Order 06-019-A
Order Date: May 30, 2006
Respondent: **Johnny O. Jackson Builders, Inc.**
Facility: Johnny O. Jackson Builders, Inc.
Location/Mailing Address: 1528 University Parkway
Aiken, SC 29801
County: Aiken County
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, *Prohibition of Open Burning*

Summary: Johnny O. Jackson Builders, Inc. (Respondent), located in Aiken, South Carolina, is a building contractor. The Respondent violated State Open Burning Regulations in that it burned land-clearing debris within 1,000 feet of a residential site.

Action: The Respondent has agreed to immediately and henceforth cease open burning except as provided by South Carolina Air Pollution Control Open Burning Regulations, and pay a civil penalty in the amount of five hundred dollars **(\$500.00)**.

49) Order Type and Number: Consent Order 06-020-A
 Order Date: June 8, 2006
 Respondent: **Springmaster/ B&S Screw
 Machine**
 Facility: Springmaster/B&S Screw Machine
 Location/Mailing Address: 1450 Buncombe Road
 Greer, S.C. 29651
 County: Greenville County
 Previous Orders: None
 Permit/ID Number: 1200-0447
 Violations Cited: U.S. EPA 40 CFR 70.5(a) and South
 Carolina Air Pollution Control Regulation 61-62.70.5(a), *Duty to Apply*.

Summary: Springmaster/B&S Screw Machine (Respondent), located in Greer, South Carolina, manufactures cold wound springs from cylindrical steel wire and precision machine parts from steel stock. In December 2004, an independent audit of Springmaster's facility revealed that Springmaster had neither applied for nor obtained Department-issued permits. Because Springmaster has the potential to emit 176.14 tons per year of particulate matter with a mean aerodynamic diameter of 10 microns or less ("PM₁₀"), which exceeds the major threshold, it is subject to SC Regulation 61-62.70, Title V Operating Permit Program. Springmaster was required to submit an application pursuant to the Regulation no later than July 25, 1996. On January 12, 2006, the Department issued Springmaster a Notice of Alleged Violation and Notice of Enforcement Conference. On February 7, 2006, Springmaster submitted a construction permit application to the Department. On February 9, 2006, the Department met with representatives of Springmaster. During the conference, representatives of Springmaster acknowledged that the violations did occur and stated that prior to the audit they were unaware of State and Federal regulations requiring construction or operating permits.

Action: The Respondent has agreed henceforth to apply for and obtain required Department-issued permits prior to installing, operating, or modifying any source of air contaminants. In addition, it has agreed to submit an application for a Conditional Major Air Quality Operating Permit to the Department within 15 days of the execution date of the Order and pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**), payable in two equal payments of three thousand five hundred dollars (\$3,500.00) each. The first payment was submitted on June 2, 2006, with the signed Order. The second and final payment was received on June 8, 2006.

50) Order Type and Number: Consent Order 06-021-A
 Order Date: June 2, 2006
 Respondent: **Consolidated Systems, Inc.**

Facility: Consolidated Systems, Inc.
Location/Mailing Address: 650 Rosewood Drive
P.O. Box 1756
Columbia, S.C. 29202
County: Richland
Previous Orders: None
Permit/ID Number: 1900-0040
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Consolidated Systems, Inc. (Respondent), coats metal coils using a wide variety of coatings. The Respondent violated permit requirements as follows: failed to achieve a destruction efficiency greater than or equal to 98% from its metal coil coating process through a regenerative thermal oxidizer (RTO) during Department-approved source tests (for volatile organic compound emissions) conducted on May 5 and 27, 2005.

Action: The Respondent has agreed to: maintain a destruction efficiency greater than or equal to 98% from the metal coil coating process through the RTO; and pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**). The civil penalty is due no later than July 2, 2006.

51) Order Type and Number: Consent Order 06-023-A
Order Date: June 20, 2006
Respondent: **Beneteau USA, Inc.**
Facility: Beneteau USA, Inc.
Location/Mailing Address: 1313 Hwy 76 W
Marion, S.C. 29571
County: Marion
Previous Orders: 03-036-A (\$6,000)
Permit/ID Number: 1660-0029
Violations Cited: U.S. EPA Regulations at 40 CFR 63, Subpart VVVV, National Emission Standards For Hazardous Air Pollutants For Boat Manufacturing, and S.C. Code Ann § 48-1-110(d)

Summary: Beneteau USA, Inc., (“Respondent”), located in Marion, South Carolina, manufactures fiberglass boats and boat parts. The Respondent has violated Federal regulations and its Title V Permit in that it failed to submit its Notification of Compliance Status (“NOCS”), as required by the Regulation and its Title V Permit.

Action: The Respondent has agreed henceforth to comply with all applicable requirements of U.S. Environmental Protection Agency Regulations at 40 CFR, Subpart VVVV, and National Emission Standards for Hazardous Air Pollutants For Boat Manufacturing, including the submission of accurate and timely notifications, reports, and certifications. In addition the Respondent has

agreed to pay a civil penalty in the amount of four thousand five hundred dollars (\$4,500.00). The penalty has been paid.

52) Order Type and Number: Consent Order 06-024-A
Order Date: June 20, 2006
Respondent: **Specialty Polymers, Inc.**
Facility: Specialty Polymers, Inc.
Location/Mailing Address: P.O. Box 750
Chester, S.C. 29706
County: Chester
Previous Orders: 00-116-A (\$8,000)
Permit/ID Number: 0640-0049
Violations Cited: U.S. Environmental Agency at 40
CFR 68, and South Carolina Air Pollution Control Regulations 61-62.68,
Chemical Accident Prevention Provisions

Summary: Specialty Polymers, Inc., ("Respondent"), located in Chester, South Carolina, manufactures resins and emulsions. The Respondent has violated the Federal and State regulations as follows: failure to promptly address the findings and recommendations of its process hazard analysis; failure to establish and implement written procedures to manage changes and properly train its employees according to the changes; and failure to develop and implement an emergency response program, as required by Federal and State regulations.

Action: The Respondent has agreed to: maintain its risk management program pursuant to the requirements of U.S. EPA Regulations at 40 CFR Part 68 and South Carolina Air Pollution Control Regulation 61-62.68, Chemical Accident Prevention Provisions; establish and implement written procedures to manage changes, properly train its employees according to the changes, and document the employee training; and maintain its emergency response program. In addition the Respondent has agreed to pay a civil penalty in the amount of seven thousand dollars (\$7,000.00). The penalty has been paid.

53) Order Type and Number: Consent Order 06-025-A
Order Date: June 20, 2006
Respondent: **Michelin North America**
Facility: Michelin North America– US3
Location/Mailing Address: 1000 International Drive
Spartanburg, S.C. 29304
County: Spartanburg County
Previous Orders: 03-065-A (\$111,500.00), 04-064-A
(\$29K)
Permit/ID Number: TV-2060-0065

Violations Cited: South Carolina Air Pollution Control Regulation, 61-62.1, Section II, Permit Requirements.

Summary: Michelin North America (Respondent) manufactures heavy-duty truck tires. Construction Permit 2060-0065-CQ authorized the Respondent to replace the BD-4 extruder and cementing operation with a new BD-15 extruder and cementing operation. The Respondent violated South Carolina Air Pollution Control Regulations as follows: the Respondent failed to obtain required Department-issued construction permit prior to installing the previously voided BD-4 extruder and cementing operation, and failed to submit a written request for an operating permit prior to operating the previously voided BD-4 extruder and cementing operation.

Action: The Respondent submitted an application for a construction permit for the BD-4 extruder and cementing operation, and on March 1, 2006, the Department issued Construction Permit 2060-0065-CT which authorized the Respondent to operate both the BD-4 and BD-15 extruder and cementing operations. In addition, the Respondent agreed henceforth to apply for and obtain required Department-issued permits prior to installing and operating sources of air contaminants and to pay a civil penalty in the amount of sixteen thousand dollars (**\$16,000.00**). The penalty has not been paid.

54)	<u>Order Type and Number:</u>	Consent Order 06-026-A
	<u>Order Date:</u>	June 20, 2006
	<u>Respondent:</u>	Hanson Brick East, LLC
	<u>Facility:</u>	Hanson Brick East – Blacksburg Facility
	<u>Location/Mailing Address:</u>	550 York Drive Blacksburg, S.C. 29702
	<u>County:</u>	Cherokee County
	<u>Previous Orders:</u>	06-004-W (\$5400), 06-039-W (\$7200)
	<u>Permit/ID Number:</u>	TV-0600-0005
	<u>Violations Cited:</u>	South Carolina Pollution Control Act
		S.C. Code Ann. § 48-1-110(d).

Summary: Hanson Brick East, LLC (Respondent), manufactures clay bricks. The Respondent exceeded its brick production limit of 8.23 tons/hr on March 8, 2005, March 9, 2005, and March 10, 2005. The Respondent violated the South Carolina Pollution Control Act as follows: the Respondent failed to list the three brick production limit exceedences in its Title V Annual Compliance Certification (“TVACC”) as required by its Title V Operating Permit, and it failed to list the three brick production limit exceedences in its semiannual brick production report, as required by its Title V Operating Permit.

55) Order Type and Number: Consent Order 06-027-A
Order Date: June 20, 2006
Respondent: **Abtec, Inc.**
Facility: Abtec, Inc.
Location/Mailing Address: 202 McNeely Road
Piedmont, S.C. 29673
County: Greenville County
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Air Pollution Control
Regulation, 61-86.1, *Standards of Performance for Asbestos Projects.*

Action: Following the recommendations of the Department inspector, the Respondent constructed a decontamination enclosure system prior to completion of the Department inspection and the asbestos abatement project. In addition, the Respondent agreed henceforth to, during the abatement of asbestos containing materials, store asbestos waste in compliance with Department Asbestos Regulations, cover all non-abated floors with at least two layers of 6-mil or thicker polyethylene sheeting, cover all non-abated walls and ceilings with at least one layer of 4-mil or thicker polyethylene sheeting, and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has not been paid.

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<u>Respondent:</u>	Industrial Pine Products, Inc.
<u>Facility:</u>	Industrial Pine Products, Inc.
<u>Location/Mailing Address:</u>	220 Park Ave Newberry, S.C. 29108
<u>County:</u>	Newberry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	1780-0035
<u>Violations Cited:</u>	S. C. Code Ann. § 48-1-110(d); South Carolina Air Pollution Control Regulation 61-62.1, Section II, <u>Permit Requirements</u> ; and South Carolina Air Pollution Control Regulation 61-62.2, <i>Prohibition of Open Burning</i> .

Summary: Industrial Pine Products, Inc. (Respondent), manufactures decking from hardwood lumber. The Respondent violated State regulations and permit requirements as follows: failed to obtain a construction permit from the Department and failed to submit a written request to the Department to obtain an operating permit prior to installing and operating a new baghouse and rip saw; burned materials prohibited by the State Open Burning Regulations; failed to record daily baghouse pressure drop readings; failed to maintain a log of weekly baghouse operation and maintenance inspection checks; failed to determine operational ranges for its baghouses; and failed to review changes in parameters used in air dispersion modeling including a building addition.

Action: The Respondent has agreed to: apply for and obtain required Department-issued permits prior to installing and operating sources of air contaminants; cease open burning except as provided by State Open Burning Regulations; record daily baghouse pressure drop readings; perform weekly baghouse operation and maintenance inspection checks; review changes in parameters used in air dispersion modeling prior to any changes that require review; submit an application for a construction permit for the new baghouse and rip saw; and pay a civil penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**). The penalty is due July 20, 2006.

57)	<u>Order Type and Number:</u>	Consent Order 06-029-A
	<u>Order Date:</u>	June 21, 2006
	<u>Respondent:</u>	Mr. Ricky Barnes
	<u>Facility:</u>	d/b/a Ricky's Tree Service
	<u>Location/Mailing Address:</u>	1096 Loblolly Drive Manning, S. C. 29102
	<u>County:</u>	Clarendon County
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <i>Prohibition of Open Burning</i> .

Summary: Mr. Ricky Barnes, d/b/a Ricky's Tree Service (Respondent), located in Manning, S. C., owns a land clearing company. The Respondent has violated South Carolina Air Pollution Control Regulation 61-62.2, *Prohibition of Open Burning*, in that on two occasions he burned land clearing debris less than 500 feet from the nearest residence.

Action: The Respondent has agreed immediately and henceforth to cease open burning except as in compliance with South Carolina Air Pollution Control Open Burning Regulations. In addition the Respondent has agreed to pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**). The penalty is due July 21, 2006.

58) Order Type and Number: Consent Order 06-030-A
 Order Date: June 30, 2006
 Respondent: **Fuji Photo Film, Inc.**
 Facility: Fuji Photo Film, Inc.
 Location/Mailing Address: 211 Puckets Ferry Road
 Greenwood, S.C. 29648

 County: Greenwood County
 Previous Orders: 05-046-A (\$0)
 Permit/ID Number: 1240-0046
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.1, Section II, Permit Requirements, U.S. EPA
 Regulations at 40 CFR §60.7 (a)(1), Notification And Record Keeping

Summary: Fuji Photo Film, Inc. ("Respondent"), located in Greenwood, South Carolina, manufactures presensitized lithographic printing plates, photosensitive paper and film, and one-time-use cameras; and converts and packages imaging films at seven facilities located on its Greenwood, South Carolina campus. The Department issued Part 70 ("Title V") Air Quality Operating Permit 1240-0046 to the Respondent, effective August 1, 2001. The Respondent has violated the South Carolina Air Pollution Control Regulations and U.S. EPA Regulations as follows: failure to obtain a construction permit from the Department prior to commencing construction of the PS7 Plant and associated process equipment; and failure to submit to the Department notification of the date construction commenced of the PS7 Plant and associated process equipment.

Action: The Respondent has agreed to: henceforth obtain the required Department-issued permits prior to commencing construction of sources of air contaminants; henceforth submit to the Department notification of the date construction commences of sources of air contaminants that are subject to this requirement; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty has been paid.

59) Order Type and Number: Consent Order 06-031-A
 Order Date: June 29, 2006
 Respondent: **Norbord South Carolina, Inc.**
 Facility: Norbord South Carolina, Inc.
 Location/Mailing Address: 564 Woodyard Road
 Kinards, S.C. 29355
 County: Laurens County
 Previous Orders: 01-023-A\$20,800);03-092-A
 (\$76,500)
 Permit/ID Number: 1520-0078
 Violations Cited: South Carolina Air Pollution Control
 Regulation 61-62.1, Section II, Permit Requirements

Summary: Norbord South Carolina, Inc. ("Respondent"), located in Kinards, South Carolina, operates a continuous-press oriented strand board manufacturing facility. The Respondent operates pursuant to Construction Permits 1520-0078-CA through -CK, effective December 8, 1998, and subsequent revisions. The Respondent has violated the South Carolina Air Pollution Control Regulations for failure to submit sufficient information in its construction permit applications necessary for the Department to determine actual and potential volatile organic compound and hazardous air pollutant emissions.

Action: The Respondent has agreed to: pay to the Department fiscal year 2004, 2005, and 2006 air emissions fees for unaccounted volatile organic compound emissions; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).

60) Order Type and Number: Consent Order 06-032-A
 Order Date: June 29, 2006
 Respondent: **Chester Wood Products, LLC**
 Facility: Chester Wood Products, LLC
 Location/Mailing Address: 1445 Lancaster Hwy
 Chester, S.C. 29706
 County: Chester County
 Previous Orders: None
 Permit/ID Number: 0640-0013
 Violations Cited: S.C. Code Ann. § 48-1-110(d), South
 Carolina Air Pollution Control Regulation 61-62.1, Standard 5.1, Section
 III, Volatile Organic Compound Compliance Testing, and South Carolina
 Air Pollution Control Regulation 61-62.70, Title V Operating Permit
 Program

Summary: Chester Wood Products, LLC ("Respondent"), located in Chester, South Carolina, manufactures wood products from raw southern pine.

The Department issued Part 70 ("Title V") Air Quality Operating Permit 0640-0013 to Willamette Industries, Inc., effective November 2, 2000. The Department transferred the Title V permit to Weyerhaeuser Company after it purchased the facility in February 2002. The Department transferred the Title V permit to the Respondent after it purchased the facility in December 2004. The Respondent has violated the Title V permit and the South Carolina Air Pollution Control Regulations as follows: failure to conduct a source test on its thermal oxidizer; and failure to submit a timely and accurate Title V Annual Compliance Certification ("TVACC").

Action: The Respondent has agreed to: henceforth comply with the source testing schedule established in its Title V permit and in accordance with State regulations; henceforth submit a timely and accurate TVACC within forty-five (45) days of the end of each reporting period; and pay a civil penalty in the amount of nine thousand dollars **(\$9,000.00)**.